

Community Development & Regulatory Services Committee

In the Matter of the Rental License Revocation Action

OWNER, MARGOTS KAPACS

3324 – 23rd Avenue South

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Minneapolis
City of Lakes

**Department of
Regulatory Services**

Nuria P. Rivera-Vandermyde
Director

Housing Inspections

250 South 4th Street – Room 400
Minneapolis, MN 55415-1316

Office (612) 673-3000
Fax (612) 673-3262
TTY (612) 673-2157

Attention: If you have any questions regarding this material please call 311

Spanish - Atención.

Si desea recibir asistencia gratuita para traducir esta información, llame al teléfono (612) 673-2700

Somali - Ogow.

Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac (612) 673-3500

Hmong - Ceeb toom.

Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu (612) 673-2800

Sign Language

Interpreter –
612-673-3220
TTY: 612-673-2157

If you want help translating this information in any other language, call 612-673-3737

April 3, 2015

Property Address: 3324 – 23rd Avenue South

Margo Kapacs
5420 44th Avenue S
Minneapolis, MN 55407

Margots Kapacs
P.O. Box 6274
Minneapolis, MN 55406

Dear Mr. Hoffman:

A hearing for your Minneapolis Rental License Appeal is scheduled for Tuesday, April 21st, 2015, at 9:00 a.m. in Room 310 of Minneapolis City Hall located at 350 South 5th Street. Attorney, Fabian Hoffner will be the Administrative Hearing Officer.

At this hearing, you will be given an opportunity to state your reason(s) for appealing and challenging the licensing action, to present witnesses and evidence under oath, and to cross-examine opposing witnesses under oath. You must bring the original and 4 copies of any documents you plan to submit as evidence.

If you do not appear, the hearing officer will act upon your appeal with only the facts as presented in your original application.

Sincerely,

Joann Velde
Deputy Director
Housing Inspections
612-673-5850



City Information
and Services

www.ci.minneapolis.mn.us

Affirmative Action Employer



Application | Address | **Applicant** | Comment | Quantities | Fee Calc | Fee Pmt | Issue

PLIC 541062 Prop Dev. 07-APR-09 Jur: MPLS

Applicant

Applicant: MARGOTS KAPACS
 Representative:
 Position/Title:
 Address Line 1:
 Address Line 2: 5420 44TH AVE S
 City / State: MINNEAPOLIS MN Zip: 55407
 E-mail:

Home Ph: 651-334-6333
 Work Ph:
 Extension:
 Fax:
 Type:
 SSN:
 IVR ID/PIN: 48627345

Identifiers

Contact

Contact: MARGOTS KAPACS
 Representative:
 Position/Title:
 Address Line 1:
 Address Line 2: 5420 44TH AVE S
 City / State: MINNEAPOLIS MN Zip: 55407
 E-mail:

Home Ph: 651-334-6333
 Work Ph:
 Extension:
 Fax:
 Type:
 Birthdate: 25-JUL-1980
 IVR ID/PIN: 48627342

Phgto

Copy Applicant From:

Applicant

Owner

Professional

544062

Rental License Application

INDIVIDUAL APPLICATION REQUIRED FOR EACH BUILDING

PLEASE COMPLETE SECTIONS 1 THROUGH 9

Section 1

Property Information

Rental Property Address: <u>3324 23RD Ave S, Flat 2</u>	Property Identification Number(PIN): <u>01-028-24-24-0146</u>
PIN can be found on property tax statement or at www2.co.hennepin.mn.us/pins/addrsrch.jsp -Required for Condo Units	
Number of Rental Units: <u>1</u> Dwelling Units <u>2</u> Rooming Units <u> </u> Shared Bath Units <u> </u> Condo Units	
DWELLING UNIT:	Any habitable room located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for sleeping, cooking and eating.
SHARED BATH UNIT:	Dwelling unit which does not contain a bathroom.
ROOMING UNIT:	Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking of meals.
CONDO UNIT:	Any dwelling unit within a Condominium, Townhouse or Coop Association.

Section 2

Owner Information

Business Name: _____ (Required if Applicable)		
Name of Natural Person: <u>Margots</u>	<u>Kapacs</u>	
Chief Operating Officer/Owner	MI (Required)	Last
Date of Birth <u>07-25-80</u>	Phone (<u>651-334-6333</u>)	
Month/day/year, (Required)		
Owner's Address <u>3324 23RD Ave S Flat 1</u>		
City <u>Minneapolis</u>	County <u>Hennepin</u>	State & Zip Code <u>MN 55407</u>

Section 3

Person Responsible for Maintenance & Management of this Rental Property

Enter below the requested information for the natural person responsible for maintenance and management of this property. This person must reside within the 16-county metropolitan area of: ANOKA, CARVER, CHISAGO, DAKOTA, GOODHUE, HENNEPIN, ISANTI, LESUEUR, MCLEOD, RAMSEY, RICE, SCOTT, SHERBURNE, SIBLEY, WASHINGTON AND WRIGHT. This person may also be the appointed agent/contact person for the property. A post office box or commercial mail service box are not acceptable as an address for such person. SECTION 244.1840 MINNEAPOLIS CODE OF ORDINANCES.

Name of Property Manager: <u>Margots</u>	<u>Kapacs</u>	Date of Birth <u>7-25-80</u>
First	MI (Required)	Last
Daytime Phone (<u>651</u>) <u>334-6333</u>		Evening Phone () _____
Address <u>3324 23RD Ave S</u>		
City <u>Minneapolis</u>	County <u>Hennepin</u>	State & Zip Code <u>MN 55407</u>

Section 4

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT AND I UNDERSTAND ALL MAILINGS FROM INSPECTIONS DIVISION INCLUDING THE ANNUAL RENTAL LICENSE BILLING STATEMENT WILL BE MAILED TO THE APPOINTED AGENT/CONTACT PERSON UNLESS INSPECTIONS DIVISION IS NOTIFIED OF ANY CHANGES.

<u>Kapacs</u>	<u>5-13-09</u>	
Signature of Owner	Date	Signature of <u>Person responsible for Maintenance/Mgmt</u>
		must be notarized. If Other Than Owner (Space reserved for Notary Stamp)

Signature of Property Manager if other than owner _____ Date _____

Subscribed and sworn to before me on this _____ day of _____, 20____.

_____, Notary Public, _____ County

Caution: Your signature as Property Manager on this form will make you responsible for the maintenance and management of this rental property.

New Owners: Attached proof of ownership (i.e. copy of Certificate of Real Estate Value or HUD Statement or Bill of Sale).

MAR 16 2009

Section 10

Rental License Fees

Fee Amounts per Building: The annual license fee for a rental dwelling license or provisional license is \$65.00 for the first rental dwelling unit and \$19.00 for each additional rental dwelling unit under common ownership in the same building. The licensing billing period is between **September 1st through August 31st**. New owners who have purchased their property after April 1st (during second half of license year) shall pay the prorated fee of 50%. A change in ownership shall require a new license application and payment of the license fee.

Dwellings Converted to Rental: Whenever a dwelling is converted to rental usage, the dwelling shall be promptly inspected for compliance with minimum housing standards. The fee for this required inspection is one thousand dollars (\$1000.00). This fee shall be in addition to the annual license fee. Exemptions: buildings containing 6 or more units; dwellings owned by nonprofit entity (as defined); new construction.

Operation of an unlicensed dwelling unit shall be subject to an additional administrative fee of two hundred fifty dollars (\$250.00) for the first dwelling unit, and twenty dollars (\$20.00) for each additional dwelling unit under common ownership in the same building. This fee shall be in addition to any other appropriate enforcement action or fees due. This fee shall apply 60 days after owner closes the sale of the rental property.

New Owners: Attach proof of ownership (i.e. Copy of Certificate of Real Estate Value or HUD Statement or Bill of Sale).

FEE MUST ACCOMPANY APPLICATION.

Make checks payable to:

Mail to:

Minneapolis Finance Department
 Department of Regulatory Services
 Inspections Division
 250 South 4th Street
 Minneapolis, MN 55415-1373

Section 11

Important Information

Section 244.2010: Every Licensee shall promptly notify the Department of Inspections of any changes in the names, addresses and other information concerning the person listed in the last license application filed with the department.

Section 244.2000(d): The owner of any dwelling which is required to be licensed by this chapter shall prior to the time of sale of said dwelling, notify the buyer in writing of all unabated orders and violation tags issued by the Department of Inspections pertaining to said dwelling, as well as the requirement of law that said dwelling, upon acquisitions by a new owner, must be licensed with the Director of Inspections. A copy of the notification shall be mailed to the Director of Inspections within five (5) days of furnishing the notification to the buyer. If the dwelling is owned by a corporation, an officer of said corporation shall carry out the notification required by this section. If the property is owned by more than one person, a notification by one of the owners shall satisfy this section. For the purpose of this section, "time of sale" shall be construed to mean when a written purchase agreement is executed by the buyer or, in the absence of a purchase agreement, upon the execution of any document providing for the conveyance of a dwelling required to be licensed.

Section 12

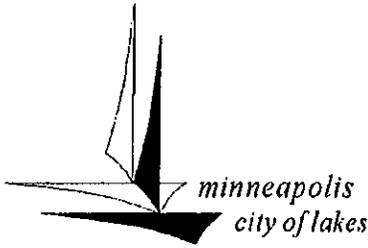
For Office Use Only

License/Provisional Number.....
 Operator.....
 Date Processed.....
 Fee Amount Paid.....
 New Construction/Certificate of Occupancy
 Code Compliance
 New Owner
 Other _____

Conversion
 Response to RFS
 Update Only

541062
 [Signature]
 \$65.00

APR 07 2009



DEPARTMENT OF REGULATORY SERVICES
 INSPECTIONS DIVISION
 250 SOUTH 4TH STREET
 SUITE 300
 MINNEAPOLIS, MN 55415-1316

SEE BACK OF PAGE
 FOR INFORMATION
 AND PHONE NUMBERS

PLEASE INDICATE
 ANY CHANGES TO
 THIS STATEMENT
 ON THE BACK

MARGOTS KAPACS

Dec. 09, 2013

3324 23RD AVENUE SOUTH #1

MINNEAPOLIS MN 55407

LICENSE
 RLIC 541062

RENTAL LICENSING

LOCATION:

3324 23RD AVE S

PROPERTY OWNER:
 MARGOTS KAPACS

3324 23RD AVENUE SOUTH #1
 MINNEAPOLIS MN 55407

FINAL WARNING

NIXIE 553 DE 1270 0612/17/13

RETURN TO SENDER
 ATTEMPTED - NOT KNOWN
 UNABLE TO FORWARD

BC: 55415135675 *2878-05972-14-40

An administrative fee has been applied. You are hereby ordered to make the payment within fifteen (15) days after the date of this letter or a citation may be issued.

TOTAL AMOUNT DUE NOW: \$ 319.00

If you have any questions, please call us at 311

Make Checks Payable To: **MINNEAPOLIS FINANCE DEPARTMENT**

DO NOT COMBINE THIS PAYMENT WITH ANY OTHER CITY BILLING

MICRO-PERFORATED: Detach and return this portion with payment. Do not fold this stub.

RENTAL LICENSE RENEWAL - FINAL

Location: 3324 23RD AVE S
 RLIC #: RLIC 541062

Amount Due Now
 \$319.00

Date Due
 ** FINAL **

Check here and see reverse for address correction

Amount Enclosed \$

MARGOTS KAPACS

3324 23RD AVENUE SOUTH #1
 MINNEAPOLIS MN 55407

MINNEAPOLIS - REG SERVICES
 P O BOX 77031
 MINNEAPOLIS, MN 55480-7731

COMMENTS

Application | Address | Applicant | **Comment** | Quantities | Fee Calc | Fee Pmt | Issue

RLIC: 541062 Proj: Prop Dev: Enter Date: 07-APR-09 Jur: MPLS

By	Date	Comments
KRU	12-NOV-2014	SENDING 181 - CONTACT INFORMATION NOT CURRENT. MAIL RETURNED FROM MARGOTS AT 5420 44TH AVE S.
<input type="checkbox"/> Print on Permit	<input type="checkbox"/> Print on Inspection	
JWP	23-JUL-2014	REC'D RENEWAL 2014-2015 WILL PROCESS AND ISSUE PERMIT. ALSO, UPDATING RLIC TO INCLUDE SECOND UNIT. CHANGING ADDRESS FROM 3324 23RD AVENUE SOUTH #1 TO 5420 44TH AVE S.
<input type="checkbox"/> Print on Permit	<input type="checkbox"/> Print on Inspection	
DCL	22-APR-2014	REC'D RENEWAL/ADMIN FEE 2013-2014 WILL PROCESS AND ISSUE PERMIT
<input type="checkbox"/> Print on Permit	<input type="checkbox"/> Print on Inspection	
DCL	18-FEB-2014	CREATING RFS FOR THE INSPECTOR FY1 RENTAL LICENSE IS NOT VALID BALANCE DUE FOR 2013-2014 RENTAL LICENSE FEE 14-1025142
<input type="checkbox"/> Print on Permit	<input type="checkbox"/> Print on Inspection	

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Property information search result

The Hennepin County Property Tax web database is updated daily (Monday - Friday) at approximately 9:15 p.m. (CST)

Search By:

2015 Assessment Data (For Taxes Payable 2016) will be available on this web site approximately 04/01
2015 Assessment (For Taxes Payable 2016)

[Property ID](#)

[Address](#)

[Addition name](#)

[Interactive map](#)

[Tax information](#)

Property ID: 01-028-24-24-0146

Address: 3324 23RD AVE S

Unit No.:

Municipality: MINNEAPOLIS

Owner: M KAPACS & A JUREVICA

Property ID:

0102824240146

Taxpayer Name / Address:

MARGOTS KAPACS

3324 23RD AVE S

MINNEAPOLIS MN 55407

Search Clear

Hennepin County is providing this information as a public service.
Tax related questions: taxinfo@hennepin.us

Hennepin County, Minnesota

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Property Address:

Property ID: **0102824240146**

[Map](#)

3324 23rd Ave S Minneapolis, MN 55407

RENTAL LICENSE & LODGING HOUSE LICENSE			
Permit Type	Contact	Paid On	Amount
RLIC - RENTAL LICENSING	Margots Kapacs 5420 44th Ave S, Minneapolis, MN 55407 651-334-6333	Jul 23, 2014	\$88
		Apr 22, 2014	\$69
		Sep 04, 2012	\$69
		Sep 06, 2011	\$67
		Aug 04, 2010	\$65
		Nov 23, 2009	\$65
		Apr 07, 2009	\$65

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Minneapolis Information Technology

For assistance, contact [Minneapolis 311](#) at 3-1-1 or (612) 673-3000

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Property Address:

Property ID: 0102824240146

[Map](#)

3324 23rd Ave S Minneapolis, MN 55407

Current Inspector: Kelly

Last Inspection: 02/26/2015 by Kelly

HOUSING VIOLATIONS				
Year	Total	Open	Closed	Tags
2015	1	1	0	0
2014	10	8	2	0
Prior	9	0	9	0
All	20	9	11	0

[Hide Details.](#)

2015

INCIDENT: 15-1094900 (HOUSING LICENSING)					
Violation	RFS Status	Initiated Date	Due Date	Division	Tag
	OPEN				

2014

INCIDENT: 14-1085357 (HOUSING)					
Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Update License Application; Mco 244.2000	OPEN	11/12/2014	12/03/2014	INSP	

INCIDENT: 14-1081368 (HOUSING LICENSING)					
Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Insp Choice - Elec	OPEN	10/21/2014	11/16/2014	INSP	

INCIDENT: 14-1073865 (HOUSING)					
Violation	RFS Status	Initiated Date	Due Date	Division	Tag
	OPEN				

INCIDENT: [14-1060288](#) (HOUSING COMPLAINTS)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Remove Illegal Appliances/fixtures	OPEN	08/08/2014	09/30/2014	INSP	
Basement Occupancy	OPEN	08/08/2014	09/30/2014	INSP	
Illegal Building *	OPEN	08/08/2014	09/30/2014	INSP	
Assessment For Re-inspection Fee	OPEN				
Assessment For Admin Citation Fee	OPEN				

INCIDENT: [14-1025142](#) (HOUSING COMPLAINTS)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Licensing; Mco 244.1810	DONE	02/19/2014	03/11/2014	INSP	
Assessment For Admin Citation Fee	DONE				

2010**INCIDENT: [10-0788688](#) (HOUSING LICENSING)**

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Insp Choice - Heating	DONE	08/06/2010	08/26/2010	ENMG	
Combustible Storage	DONE	08/06/2010	08/26/2010	ENMG	

INCIDENT: [10-0788683](#) (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Deadbolt-sf/dx	DONE	08/06/2010	08/26/2010	ENMG	
Provide Co Alarms	DONE	08/06/2010	08/26/2010	ENMG	
Smoke Detectors	DONE	08/06/2010	08/26/2010	ENMG	

INCIDENT: [10-0788688](#) (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Assessment For Admin Citation Fee	DONE				

INCIDENT: [10-0773665](#) (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Install Ext Handrail	DONE	08/06/2010	09/10/2010	ENMG	
Provide/replace Guardrails	DONE	08/06/2010	09/10/2010	ENMG	

~~2002~~

INCIDENT: 02-0217551 (ENV COMBINED SEWER OVERFLOW)					
Violation	RFS Status	Initiated Date	Due Date	Division	Tag
	DONE				

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Property Address:

Property ID: 0102824240146

[Map](#)

3324 23rd Ave S Minneapolis, MN 55407

Warning - IMPORTANT INFORMATION CONCERNING SPECIAL ASSESSMENTS!

City of Minneapolis property data is updated nightly, Monday – Friday. While efforts are made to ensure that the information on our website is complete and accurate, Special Assessments data could be up to 72 hours old due to data systems refresh cycles.

The Special Assessment information herein does not include Public Works, Minneapolis Park Board, Hennepin County assessments.

If you are concerned about the accuracy or timeliness of an item and would like to contact the department responsible for the data, please contact [Minneapolis 311](#) so that a 311 Customer Service Agent can direct you to the appropriate department. From within the City, dial 3-1-1; outside Minneapolis, dial (612) 673-3000. TTY/TDD users dial (612) 673-2157.

For more information, see the [Special Assessments website](#) or [Special Assessment Contacts](#).

SPECIAL ASSESSMENTS						
Year	Total	Assessed	Pending	Cancelled	Paid	Other
2015	3	0	3	0	0	0
2014	2	2	0	0	0	0
Prior	1	0	0	0	1	0
All	6	2	3	0	1	0

[Hide Details.](#)

2015

SPECIAL ASSESSMENTS						
RS NUM	Levy #	Levy Year	Project	Project Description	Status	Total
14-1060288	1089	2015	H-admin Cit	Assessment For Admin Citation Fee Ent 16-jan-2015 Unpaid Admin Citation \$250 Issued 21-oct-2014	Pending	\$275.00
14-1060288	1097	2015	H-rein Fee	Assessment For Re-inspection Fee Ent 16-jan-15 Reinsp Fee From 21-oct-14	Pending	\$150.00
14-1060288	1097	2015	H-rein Fee	Assessment For Re-inspection Fee Ent 20-feb-15 Reinsp Fee From 04-dec-14	Pending	\$150.00

2014

SPECIAL ASSESSMENTS

RS NUM	Levy #	Levy Year	Project	Project Description	Status	Total
14-1025142	1089	2014	H-admin Cit	Assessment For Admin Citation Fee Ent 21-may-2014 Unpaid Admin Citation \$1000 Issued 07-apr-2014	Assessed	\$1,100.00
14-1025142	1089	2014	H-admin Cit	Assessment For Admin Citation Fee Ent 24-apr-2014 Unpaid Admin Citation \$500 Issued 12-mar-2014	Assessed	\$550.00

2011

SPECIAL ASSESSMENTS

RS NUM	Levy #	Levy Year	Project	Project Description	Status	Total
10-0788688	1089	2011	H-admin Cit	Assessment For Admin Citation Fee (ent 2-7-11) Unpaid Admin Citation \$200 Issued 01-07-11	Cancelled	\$220.00

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Property Address:

Property ID: 0102824240146

[Map](#)

3324 23rd Ave S Minneapolis, MN 55407

Police Precinct: 3

Last Incident Date: 01/01/2015

POLICE INCIDENTS		
Year	Incidents	No. Reports Filed
2015	1	1
2014	4	2
Prior	10	1
All	15	4

[Hide Details.](#)

2015

23 AV S/3324				
Incident	Nature	Disposition	Date	Time
15-001293	Domestic Abuse Report Only (P)	RPT-Report	01/01/2015	11:59 PM

2014

23 AV S/3324				
Incident	Nature	Disposition	Date	Time
14-374153	SAFE (P)	RPT-Report	10/21/2014	10:57 AM
14-350237	Miscellaneous (P)	NOS-No Service	10/02/2014	09:58 AM
14-191042	Domestic Abuse-In Progress (P)	RPT-Report	06/06/2014	02:23 PM
14-189913	Domestic (P)	NOS-No Service	06/05/2014	06:15 PM

2012

23 AV S/3324				
Incident	Nature	Disposition	Date	Time

12-343660 Assist Other Agency (P) NOS-No Service 11/02/2012 08:03 AM

2008

23 AV S/3324

Incident	Nature	Disposition	Date	Time
08-320733	Dead Person (P)	RPT-Report	10/16/2008	08:52 PM
08051257	Medical Misc(E)	Patient(s) Transported	10/10/2008	09:28 PM
08029702	Unconscious	Patient(s) Transported	06/19/2008	02:09 PM
08-0016870	Unconscious (FE)		06/19/2008	02:09 PM

2004

23 AV S/3324

Incident	Nature	Disposition	Date	Time
14488	SUSPICIOUS VEHICLE	TRN	01/19/2004	05:55 AM

2003

23 AV S/3324

Incident	Nature	Disposition	Date	Time
278384	PROWLER	GOA	10/14/2003	02:39 AM
5984	STROKE		03/08/2003	04:48 PM
9598	STROKE		03/08/2003	04:48 PM
2234	NEIGHBOR TROUBLE	ADV	01/03/2003	09:10 AM

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 For assistance, contact Minneapolis 311 at 3-1-1 or (612) 673-3000



City of Minneapolis
Department of Regulatory Services
Housing Inspection Services Division
 250 South Fourth Street Room 300
 Minneapolis, Minnesota 55415
www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800
English- Attention. If you need this material in an alternate format, have questions, are deaf or hard-of-hearing, please call 612-673-3000.
 TTY: 612-673-2626 or 612-673-2157

MARGOTS KAPACS

5420 44TH AVE S
 MINNEAPOLIS, MN 55407

08-AUG-14
 Request Number: 14-1060288

Re: 3324 23RD AVE S

An inspection on **08-AUG-14** of the premises at the above address disclosed conditions that are violations of the Minneapolis Code of Ordinances. An inspection will be done at no charge after the listed due date(s).

Failure to comply with the orders below by the due date(s) may result in a One hundred dollar (\$100.00) fee for each additional inspection (except those which are exempt), and possible legal action. The fee will be billed directly to the responsible party(ies) per Minneapolis Ordinance 244.190.

The following corrections are required:

Discontinue the unlawful occupancy of the nonhabitable basement space as a habitable room or dwelling unit. Minneapolis Code of Ordinances 244.410, 244.800 and 244.850, and Minneapolis Zoning Ordinance 546. This notice is appealable to the Zoning Board of Adjustments in accordance with the provisions in Section 525.170 of the Minneapolis Code of Ordinances. All appeals must be filed within ten (10) calendar days of this notice. Information concerning the Zoning Board of Adjustments may be obtained from the Zoning Section at 311. Violation Text 225.

Inspector's Comments:

Due Date: 30-SEP-2014

Revert this dwelling to its authorized construction and occupancy as shown in the Inspections Division records. Our records show the dwelling being used in some other manner than what is allowed. If you believe that your property may have nonconforming rights to be used in this manner, you may contact the Zoning office at 612-673-3000 to apply for a certificate of non-conforming use. The burden of proof is upon the applicant to establish the lawful nonconforming status of the property and the lack of abandonment, change of use or other loss of such status. Minneapolis Code of Ordinances 244.1450 and Zoning Ordinance 546. This notice is appealable to the Zoning Board of Adjustments in accordance with the provisions in Section 525.170 of the

Minneapolis Code of Ordinances. All appeals must be filed within ten (10) calendar days of this notice. Information concerning the Zoning Board of Adjustments may be obtained from the Zoning Section at 311. Violation Text 221.

Inspector's Comments: ZONED AS A DUPLEX, BEING USED AS A TRIPLEX.

Due Date: 30-SEP-2014

Remove the unlawfully installed item(s) listed below. Have the item(s) installed or repaired in an approved manner. Minneapolis Code of Ordinances 244.580, 101.70, and 87.90. Violation Text 227.

Inspector's Comments: BASEMENT TOILET, SHOWER, KITCHEN SINK, BATHROOM SINK AND STOVE.

Due Date: 30-SEP-2014

Your prompt cooperation in attending to the item(s) above would be appreciated.

IF YOU HAVE ANY QUESTIONS ABOUT THESE ORDERS, OR IF YOU ARE NOT THE OWNER, AGENT OR OCCUPANT, PLEASE CALL THE INSPECTOR WHOSE NAME AND NUMBER ARE AT THE END OF THESE ORDERS. If you are unable to reach the inspector during observed office hours, you may leave a message at any time by calling the same number.

Code Information:

The Minneapolis Code of Ordinances, including sections on the Housing Maintenance Code, is available on computer terminals at:

- ◆ Hennepin County Public Library, Government Documents Section
- ◆ City Clerk's Office, Room 304 City Hall, 350 South 5th Street

The code is also available on the internet at <http://www.minneapolismn.gov>

Chapter 242 of the Minneapolis Ordinances provides that an appeal may be filed within fifteen (15) days of the issuance of this order. If you wish to appeal this order, call 673-5850 for an application.

If these orders are for repairs to your house or garage, and if you need financial assistance to complete them, you may call the MCDA (673-5286) for information on home improvement loans.

IF A PERMIT IS REQUIRED, THE HOUSING ORDERS MUST BE PRESENTED AT THE PLAN REVIEW COUNTER FOR PERMIT ISSUANCE BY EITHER THE PROPERTY OWNER OR CONTRACTOR.

All materials and services are available in accessible formats.

KELLY UMHOEFER (KRU), HOUSING INSPECTOR II, Phone: (612) 759-3640

Housing Inspections observes office hours of 8 to 4:30 Monday through Friday.

Penalty for removal \$700.00 fine and/or 90 days imprisonment

**City of Minneapolis
Department of Inspections
Placard Of**

UNLAWFUL OCCUPANCY

In accordance with Chapter 244 Minneapolis Code of Ordinances, The premises, building, structure or any portion thereof and located at 3324 23RD AVE S is hereby ordered to vacated because of Section(s) MCO 101.70, 87.90, 244.410, 244.580, 244.800, 244.850, 244.1450 AND ZONING 546 of the Minneapolis Code of Ordinances. Description of violation: Related Violation Codes: 225, 221, 227 ILLEGAL BASEMENT UNIT. MCO 101.70, 87.90, 244.410, 244.580, 244.800, 244.850, 244.1450 AND ZONING 546

In accordance with Section 244.1450, 244.200, 244.1810, 244.1860 and 244.1970 of the Minneapolis Code of Ordinances this building premise, structure or portion thereof must be vacated by: 30-SEP-14

Date Placard Posted: 08-AUG-14

Phone #: (612) 759-3640

Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2157
If you want help translating this information in any other language, call 612-673-3737

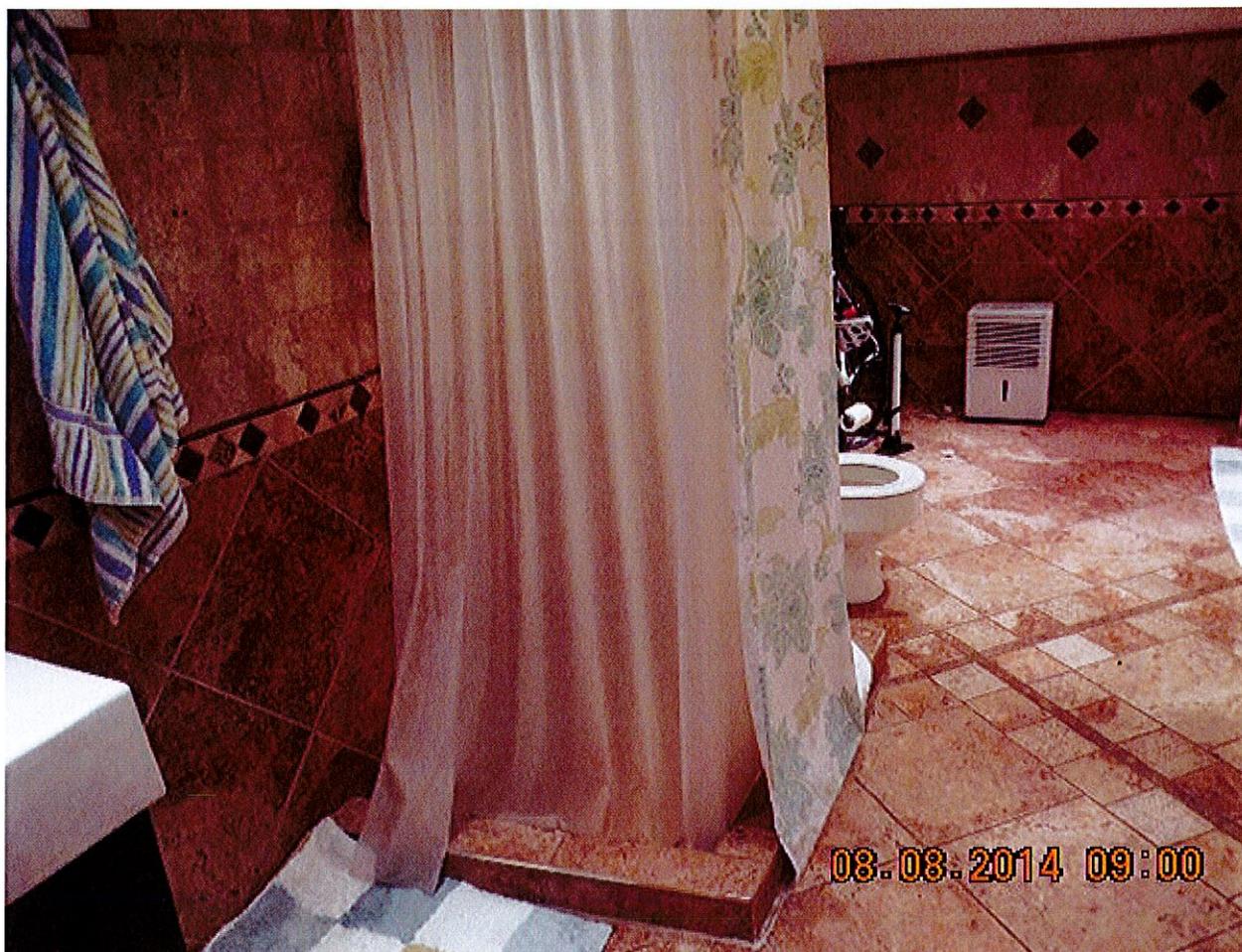
























**City of Minneapolis
Department of Regulatory Services
Housing Inspection Services Division**

250 South 4th Street, Room 400
Minneapolis, Minnesota 55415

www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjammada macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800
English- Attention. If you need this material in an alternate format, have questions, are deaf or hard-of-hearing, please call 612-673-3000.
 TTY: 612-673-2626 or 612-673-2157

22-OCT-14

MARGOTS KAPACS

5420 44TH AVE S
MINNEAPOLIS, MN 55407

ADMINISTRATIVE CITATION

This citation charges you with a violation of the Minneapolis Code of Ordinances.
For information on how to respond to this citation, see the reverse of this form.

Violation number: 14-1060288
Violation Location: 3324 23RD AVE S
Violation Date: 21-OCT-14

Violation: Failure to comply with written orders, Minneapolis Code of Ordinances 87.90 (f).

Violation type: BASEMENT OCCUPANCY
 ILLEGAL BUILDING *
 REMOVE ILLEGAL APPLIANCES/FIXTURES

FINE: \$250 (If not paid by 16-NOV-14 a 10% late payment fee will be added)

Officer or Inspector: KELLY UMHOEFER (KRU), HOUSING INSPECTOR II, Phone: (612) 759-3640

Warning – Failure to pay or appeal this citation within twenty (20) days will result in increased penalties and fees assessed.

Make Checks Payable to: MINNEAPOLIS FINANCE DEPARTMENT
DO NOT COMBINE THIS PAYMENT WITH ANY OTHER CITY BILLING

MICRO-PERFORATED: Detach and return this portion with payment. Do not fold this.

ADMINISTRATIVE CITATION BILLING STATEMENT

Location: 3324 23RD AVE S	MAIL PAYMENTS TO Housing Inspection Services 250 South 4 th Street, Room 400 Minneapolis, MN 55415-1316	Date Due 16-NOV-14	Amount Due Now \$250
Please write this number on your check: 14-1060288		Amount Due After: 16-NOV-14 \$ 275	

Responding to the Citation

You must pay the scheduled civil fine or request a hearing within twenty (20) days after service of this administrative citation. Failure to respond to this citation will result in increased penalties and fees assessed.

Paying the Fines – *By paying the fine, you are admitting to the violation.*

To Pay By Mail: Using the envelope provided, send the check or money order and the bottom portion of the administrative citation to the Inspections Division. The check or money order should be made out to the **Minneapolis Finance Department**.

To Pay in Person: Deliver the payment with the bottom portion of the administrative citation to the office of the Inspections Division. Office hours are 8:00 am – 3:30 pm Monday through Friday; except Thursday 9:00 am – 3:30 pm.

Contesting the Violation – Requesting a Hearing

To contest the violation and request a hearing, you must mail or deliver in person a **written request** to the Inspections Division. Please include the bottom portion of the administrative citation with your request.

You will be notified of a hearing date within 60 days from the receipt of the request.

Repeat Violations

If this is a repeat violation within a 24-month period, the fine will be double that of the last fine imposed, up to a maximum of \$2,000 per violation.

Continuing Violations

If this is a continuing violation, fines can be assessed on a daily basis until compliance occurs. A re-inspection will be made after the due date listed on the front of this citation which may result in additional re-inspection fees.

Questions

If you have questions concerning the actual violation noted on the front of this form, please call the number listed next to the name of the Officer/Inspector...

For more information about the payment of your fine or on the hearing process, please call the Inspections Division at (612) 673-2007.

Mail Payment and Correspondence to:
City of Minneapolis Inspections Division
Attn: Administrative Citation Processing
250 4th Street South, Room 300, Public Service Center
Minneapolis, MN 55415-1391

Make Checks Payable to: Minneapolis Finance Department



Copy

Regulatory Services--Housing Inspection Services Division
250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415
www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626
If you want help translating this information in any other language, call 612-673-3737

NOTICE OF DIRECTOR'S DETERMINATION OF NONCOMPLIANCE

August 8, 2014

Property Address: 3324 23rd Ave S

Owner:

Margots Kapacs
5420 44th Ave S
MINNEAPOLIS, MN 55407

Contact Person/Manager:

Margot Kapacs
5420 44th Ave S
MINNEAPOLIS, MN 55407

This is to notify you that the above property fails to meet one or more of the rental licensing standards (Minneapolis Code of Ordinances 244.1910, 244.1920, 244.1930 and 244.1840) below:

- (1) Required License fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning Code
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes are delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/Licensee/Manager has had 2 or more licenses revoked within last 5 years
- (14) Licensee has adverse license action in progress
- (15) Rental license application is not current per section MCO 244.1840
- (17) Licensee failed to obtain required permits MN Rule Chapter 1300.0120
- (18) Licensee allowed water shut off for non-payment
- (19) Other Cause Chapter 4, Section of Charter
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Licensee failed to provide required recycling services
- (23) Licensee has unpaid fines/fees owing to the City of Minneapolis

A license proceeding has been commenced against you because the building has been found to be in violation of the Housing Maintenance Code. You have until September 30, 2014 to bring the building into compliance. After this date, the City Council may proceed to deny, revoke, or suspend the rental dwelling license for the building. If the City Council denies, revokes, or suspends the license, the affected dwellings therein must be vacated and shall not be re-occupied until a new license is granted by the City Council.

Sincerely,

KELLY UMHOEFER
Housing Inspector



Copy

Regulatory Services--Housing Inspection Services Division
250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415
www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626
If you want help translating this information in any other language, call 612-673-3737

NOTICE OF DIRECTOR'S DETERMINATION OF NONCOMPLIANCE

August 8, 2014

Property Address: 3324 23rd Ave S

Dear Resident of 3324 23rd Ave S #1:

This is to notify you that the above property fails to meet one or more of the rental licensing standards (Minneapolis Code of Ordinances 244.1910, 244.1920, 244.1930 and 244.1840) below:

- (1) Required License fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning Code
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes are delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/Licensee/Manager has had 2 or more licenses revoked within last 5 years
- (14) Licensee has adverse license action in progress
- (15) Rental license application is not current per section MCO 244.1840
- (17) Licensee failed to obtain required permits MN Rule Chapter 1300.0120
- (18) Licensee allowed water shut off for non-payment
- (19) Other Cause Chapter 4, Section of Charter
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Licensee failed to provide required recycling services
- (23) Licensee has unpaid fines/fees owing to the City of Minneapolis

A license proceeding has been commenced against the owner because the building has been found to be in violation of the Housing Maintenance Code. After September 30, 2014, if the building is not in compliance, the City Council may proceed to deny, revoke, or suspend the rental dwelling license for the building. If the City Council denies, revokes, or suspends the license, you may be required to vacate the building.

Sincerely,

KRU
Housing Inspector



Copy

Regulatory Services--Housing Inspection Services Division
250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415
www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
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If you want help translating this information in any other language, call 612-673-3737

NOTICE OF DIRECTOR'S DETERMINATION OF NONCOMPLIANCE

August 8, 2014

Property Address: 3324 23rd Ave S

Dear Resident of 3324 23rd Ave S #2:

This is to notify you that the above property fails to meet one or more of the rental licensing standards (Minneapolis Code of Ordinances 244.1910, 244.1920, 244.1930 and 244.1840) below:

- (1) Required License fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning Code
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes are delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/Licensee/Manager has had 2 or more licenses revoked within last 5 years
- (14) Licensee has adverse license action in progress
- (15) Rental license application is not current per section MCO 244.1840
- (17) Licensee failed to obtain required permits MN Rule Chapter 1300.0120
- (18) Licensee allowed water shut off for non-payment
- (19) Other Cause Chapter 4, Section of Charter
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Licensee failed to provide required recycling services
- (23) Licensee has unpaid fines/fees owing to the City of Minneapolis

A license proceeding has been commenced against the owner because the building has been found to be in violation of the Housing Maintenance Code. After September 30, 2014, if the building is not in compliance, the City Council may proceed to deny, revoke, or suspend the rental dwelling license for the building. If the City Council denies, revokes, or suspends the license, you may be required to vacate the building.

Sincerely,

KRU 
Housing Inspector

STATE OF MINNESOTA, COUNTY OF

DISTRICT COURT

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

APPLICATION FOR SEARCH WARRANT AND
SUPPORTING AFFIDAVIT.

Kelly Umhoefer, City of Minneapolis Inspector with the Housing Inspections Division of the Minneapolis Department of Regulatory Services, being duly sworn upon oath, hereby makes application to this Court for a warrant to search and photograph the hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true of her own knowledge, save as to such as are herein stated on information and belief, and as to those, she believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

Evidence that the basement dwelling unit is being occupied in violation of Minneapolis Code of Ordinance 244.410; 244.580; 244.800 and 546.30 specifically, but not limited to: Bedding, Kitchen Facilities, Personal Items, Food Items, Clothing Items, and Furniture Items, indicating occupation and other evidence of violations of the Minneapolis Code of Ordinances.

are at the premises described as:

3324 23rd Avenue S., basement unit, and occupants within

located in the City of Minneapolis, County of Hennepin, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

1. **The property or things described above, were used as the means of committing a crime.**
2. **The property or things, described above, to be seized consist of any item or constitute any evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.**

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

Your Affiant, Kelly Umhoefer is an Inspector with the Housing Inspection Division of the Minneapolis Department of Regulatory Services. Your Affiant is currently assigned to conduct housing inspections in the City of Minneapolis. It is my responsibility to enforce the Minneapolis Housing Maintenance Code, Chapter 244 of the Minneapolis code of Ordinances as well as the Minnesota State Fire Code. Minneapolis Ordinance §244.20 states that the purpose of the Housing Maintenance Code is to protect the public health, safety, and general welfare of the people of Minneapolis. Section 244.20 accomplishes those purposes by (a) establishing minimum standards for basic equipment and facilities, for safety, for use and for cleanliness of all dwellings; (b) determining the responsibilities of owner, operators and occupants of dwellings; (c) providing for licensing of certain dwellings; and (d) providing for administration and enforcement.

On July 21, a complaint was filed with Minneapolis Housing Inspections regarding the basement occupancy of the duplex at 3324 23rd Avenue S. On July 24, 2014, an inspection was attempted by Inspector Umhoefer. Inspector Umhoefer could not gain entry into the basement as the basement tenant was not home and the first floor tenant stated that they did not have access to the basement. It was noted by Inspector Umhoefer that the basement had a separate locked door from the other two units.

A review of the property and inspections records for the property at 3324 23rd Avenue S. revealed that the property was a legal duplex and was licensed as a duplex. The duplex included a 2nd floor unit and a main level unit. The records did not show a separate legal unit in the basement of the property.

On July 24, 2014, Inspector Umhoefer placed a phone call to the owner of the property, Marot Kapacs, regarding the need for an inspection of the basement at 3324 23rd Avenue S. Mr. Kapacs would not grant an inspection unless the request was made in writing. A letter was sent to Mr. Kapacs and the basement tenant on July 24, 2014, requesting an inspection of the property on August 8, 2014, at 9:00 a.m.

On August 7, 2014, Mr. Kapacs called stating he needed to reschedule the inspection to August 18, 2014. The basement tenant, however, contacted Inspector Umhoefer and requested that the inspection take place on August 8, 2014, as she had taken off of work and was concerned with the safety of her unit. The tenant supplied a copy of the lease to Inspector Umhoefer. The lease indicated that the tenant was renting the basement of the property as a separate unit, independent from the main floor unit and the 2nd floor unit.

On August 8, 2014, an inspection of the basement at 3324 23rd Avenue S. was conducted by Inspector Umhoefer. During the inspection it was found that no egress windows were found in the basement unit, the ceiling height varied from six foot 1 inch (6' 1") to seven foot (7') and illegal fixtures and appliances were installed. An Unlawful Occupancy notice was issued for the basement occupancy, illegal building (exceeding the number of legal units), over occupancy and illegal appliances. The owner was given until September 30th to correct the violations.

On October 1, 2014, Inspector Umhoefer received a phone call from the first floor tenant, a person Inspector Umhoefer has communicated with on several occasions, stating that the previous tenants had moved out of the basement unit but stating that new tenants were occupying the basement unit.

On October 2, 2014, Inspector Umhoefer along with District Supervisor Paul Meyers and Minneapolis Police Officer Kutz went to 3324 23rd Avenue S., in an attempt to inspect the property for basement occupancy. Mr. Kapacs was called and messages were left that the basement needed to be inspected. No one answered when entry was attempted and Mr. Kapacs has not contacted Inspector Umhoefer to set an appointment to inspect the basement.

The property is located in an RB2 zoning district which does not allow for multiple family units above a duplex.

A search warrant is requested for the basement and occupants of the basement herein at 3324 23rd Avenue S., in the City of Minneapolis, Minnesota, based on probable cause provided above of infractions of the Minneapolis Code of Ordinances as follows:

244.410. Light and ventilation.

Every sleeping room located below the fourth (4th) floor shall have at least one (1) window or exterior door approved for emergency exit or rescue. An emergency escape and rescue window installed prior to April 11, 1983 shall provide a minimum total glazed area of not less than five (5) square feet. In addition, a window opening (measured with the window open) providing a clear opening not less than twenty (20) inches in width and twenty-four (24) inches in height shall be deemed to meet the requirements of this section provided sill heights are not over forty-eight (48) inches above the floor. Windows installed on or after April 12, 1983 and any new window installations or replacements shall be in compliance with the state building code. Enforcement of this section shall be in compliance with Minnesota State Fire Marshal Division Policy INS-04 (2007) or the most recently-issued revision of that policy.

244.580. - Supplied facilities.

Prior to leasing, the owner shall notify the tenant in writing of any metered utility service paid exclusively by said tenant which serves any area not leased and controlled by the tenant. Such notification shall be in a type size as large as elite, twelve (12) characters per inch. Every supplied facility, piece of equipment, or utility which is required under the housing maintenance code shall be so constructed and installed that it will function safely and effectively, and shall be kept in a professional state of maintenance and repair. Appliances used for cooking, air conditioning or refrigeration, when supplied by the lessor, shall be installed and maintained so they will function safely and effectively.

244.800. - Ceiling height.

At least one-half (½) of the floor area of every habitable room shall have a ceiling height of seven (7) feet. However, in dwellings one (1) story and attic in height, attic type bedrooms may be located above the first floor of each dwelling unit if such attic type bedrooms have a minimum ceiling height of not less than seven (7) feet over fifty (50) percent of its floor area and shall be provided with a stairway in full compliance with the building code. The floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

546.30. - Principal uses for the residence districts.

WHEREFORE, Affiant requests a search warrant be issued to Minneapolis Police Officer Frank Kutz, a peace officer, of the State of Minnesota, and officers under his control to search the herein before described for the described property and things and to seize said property and things and keep said property and things in custody until the same be dealt with according to law.


Affiant: Kelly Umhoefer


Judge of Hennepin County District Court

Subscribed and sworn to before me this
16th day of Oct., 2014

DAVID M. DUFFY
Judge of District Court

SEARCH WARRANT

STATE OF MINNESOTA, COUNTY OF HENNEPIN, DISTRICT COURT
 TO: OFFICER FRANK KUTZ AND OFFICERS UNDER HIS CONTROL, PEACE OFFICERS OF THE STATE
 OF MINNESOTA.

WHEREAS, Kelly Umhoefer has this day on oath, made application to the said Court applying for issuance of a search warrant to search and photograph the following described premises: 3324 23rd Avenue S., basement unit, located in the City of Minneapolis, County of Hennepin STATE OF MINNESOTA for the following described property and things:

Evidence that the basement unit is being occupied in violation of Minneapolis Code of Ordinance 244.410; 244.580; 244.800 and 546.30 specifically, but not limited to:
 Bedding, Kitchen Facilities, Personal Items, Food Items, Clothing Items, and Furniture Items, indicating occupation and other evidence of violations of the Minneapolis Code of Ordinances.

WHEREAS, the application and supporting affidavit of Kelly Umhoefer was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds:

1. The property or things described above, were used as the means of committing a crime.
2. The property or things, described above, to be seized consist of any item or constitute any evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The Court further finds that probable cause exists to believe that the above-described property and things are at the above described premises: 3324 23rd Avenue S, basement unit and occupants within.

NOW, THEREFORE, YOU OFFICER FRANK KUTZ AND OFFICERS UNDER YOUR CONTROL, THE PEACE OFFICER(S) AFORESAID, ARE HEREBY COMMANDED TO SEARCH FOR THE ABOVE-DESCRIBED PROPERTY AND THINGS, AND TO SEIZE SAID PROPERTY AND THINGS AND TO SEIZE SAID PROPERTY AND THINGS AND TO RETAIN THEM IN CUSTODY SUBJECT TO COURT ORDER AND ACCORDING TO LAW.

BY THE COURT:

Dated: 10/16/14


 JUDGE OF HENNEPIN COUNTY DISTRICT COURT

DAVID M. DUFFY
 Judge of District Court

COPIES TO: COURT • PROS.ATTY • PEACE OFFICER • PREMISES/PERSON























Regulatory Services--Housing Inspection Services Division
 250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415
www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700
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Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626
 If you want help translating this information in any other language, call 612-673-3737

October 30, 2014

COPY

Margots Kapacs
 5420 44th Ave S
 MINNEAPOLIS, MN 55407

Dear Margots Kapacs:

A re-inspection of the property located at 3324 23rd Ave S - Basement is being scheduled for **Tuesday, November 18, 2014 at 11:00 AM.** The purpose of this re-inspection is to verify compliance with existing orders. This is a required inspection per Minneapolis Code of Ordinances 244.120 and 244.1800 through 244.2010. An inspection fee of one hundred dollars (\$100.00) will be charged for each missed appointment and/or any inspection where all noted violations have not been abated per Minneapolis Code of Ordinances 244.190.

Please meet me at the property at the date and time listed above. If the date/time specified above is unacceptable to you, please call me as soon as possible to reschedule this appointment.

I must have the current tenant's consent in order to conduct this inspection. If there is a new tenant, please coordinate with them to have an updated consent form completed and available to me by the inspection time. I have included a tenant consent form for your convenience. Additionally, consent may be granted by email (kelly.umhoefer@minneapolismn.gov) by phone or text (612-759-3640).

For inspector safety, it is requested that any animals on premises be secured during the course of the inspection.

If written consent is not provided a court issued warrant may be obtained to authorize the inspection.

Thank you in advance for your cooperation.

Sincerely,

Kelly Umhoefer
 Housing Inspector
 612-759-3640
kelly.umhoefer@minneapolismn.gov

ENCLOSURE

Notification of Inspection

3324 23rd Ave S - Basement -- Tuesday, November 18, 2014 -- 11:00 AM

The purpose of this inspection is to ensure the enforcement of minimum housing standards within the City of Minneapolis. This form will be valid from the time it is signed until the inspection process is complete.

You may consent or refuse consent to the inspection. If you refuse consent, a court-issued warrant may be obtained to authorize the inspection. Please check one of the following boxes:

- I consent to an inspection I do not consent to an inspection

I am an occupant of Unit # _____, located at the address stated above. I state that I am 18 years of age or older, or an emancipated minor. Consent may also be granted by phone, email or text.

Printed Name	Date	Signature of Occupant	Date
Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700			
Somali- Ogow. Haddii aad dooneyso in laga a kaalmeeyo tarjammada macluumaadkani oo lacag la' aan wac 612-673-3500			
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800			
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626			
If you want help translating this information in any other language, call 612-673-3737			

[Handwritten mark]

Notification of Inspection

3324 23rd Ave S - Basement -- Tuesday, November 18, 2014 -- 11:00 AM

The purpose of this inspection is to ensure the enforcement of minimum housing standards within the City of Minneapolis. This form will be valid from the time it is signed until the inspection process is complete.

You may consent or refuse consent to the inspection. If you refuse consent, a court-issued warrant may be obtained to authorize the inspection. Please check one of the following boxes:

- I consent to an inspection I do not consent to an inspection

I am an occupant of Unit # _____, located at the address stated above. I state that I am 18 years of age or older, or an emancipated minor. Consent may also be granted by phone, email or text.

Printed Name	Date	Signature of Occupant	Date
Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700			
Somali- Ogow. Haddii aad dooneyso in laga a kaalmeeyo tarjammada macluumaadkani oo lacag la' aan wac 612-673-3500			
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800			
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626			
If you want help translating this information in any other language, call 612-673-3737			

[Handwritten mark]

Notification of Inspection

3324 23rd Ave S - Basement -- Tuesday, November 18, 2014 -- 11:00 AM

The purpose of this inspection is to ensure the enforcement of minimum housing standards within the City of Minneapolis. This form will be valid from the time it is signed until the inspection process is complete.

You may consent or refuse consent to the inspection. If you refuse consent, a court-issued warrant may be obtained to authorize the inspection. Please check one of the following boxes:

- I consent to an inspection I do not consent to an inspection

I am an occupant of Unit # _____, located at the address stated above. I state that I am 18 years of age or older, or an emancipated minor. Consent may also be granted by phone, email or text.

Printed Name	Date	Signature of Occupant	Date
Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700			
Somali- Ogow. Haddii aad dooneyso in laga a kaalmeeyo tarjammada macluumaadkani oo lacag la' aan wac 612-673-3500			
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800			
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626			
If you want help translating this information in any other language, call 612-673-3737			



Regulatory Services--Housing Inspection Services Division
 250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415
www.minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjammada macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626
 If you want help translating this information in any other language, call 612-673-3737

November 19, 2014

Margots Kapacs
 5420 44th Ave. So.
 Minneapolis, MN 55407

COPY

Dear Margots Kapacs :

An inspection of 3324 23rd Ave. So. was scheduled for Tuesday, November 18, 2014 at 11:00 AM. I was present at the property to meet you at the appointed time however; you did not appear nor advise me that you would be unable to keep that appointment.

The Minneapolis Code of Ordinances 244.1800 through 244.2010 requires an inspection of this property once a Rental License is obtained. I have rescheduled an inspection of your property located at 3324 23rd Ave. So. for Thursday, December 04, 2014 at 1:45 PM.

If the date/time specified above is unacceptable for you, see the contact info below. Unless I hear from you to the contrary, I expect to meet you at the property at the date and time listed above.

For your benefit, I want to stress the importance of keeping this appointment or contacting me to reschedule. If you fail to allow the inspection, license revocation or denial proceedings will be commenced. A one hundred dollar (\$100.00) inspection fee may be charged for each missed appointment.

I must have the tenant's consent to enter the premises in order to conduct this inspection. I have included the tenant consent forms with this letter. Please coordinate with your tenant to have this form completed and available to me at the inspection. Consent may also be provided through e-mail, by phone or text.

For inspector safety, it is requested that any animals on premises be secured during the course of the inspection.

Thank you in advance for your cooperation.

Sincerely,

Kelly Umhoefer
 Housing Inspector
 612-759-3640
kelly.umhoefer@minneapolismn.gov

ENCLOSURE

Notification of Inspection

3324 23rd Ave. So. -- Thursday, December 04, 2014 -- 1:45 PM

The purpose of this inspection is to ensure the enforcement of minimum housing standards within the City of Minneapolis. This form will be valid from the time it is signed until the inspection process is complete.

You may consent or refuse consent to the inspection. If you refuse consent, a court-issued warrant may be obtained to authorize the inspection. Please check one of the following boxes:

- I consent to an inspection
- I do not consent to an inspection

I am an occupant of Unit # _____, located at the address stated above. I state that I am 18 years of age or older, or an emancipated minor. Consent may also be granted by phone, email or text.

Printed Name	Date	Signature of Occupant	Date
Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700			
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500			
Hmong-Ceeb toom. Yog koj xav tau kev pab txhals cov xov no rau koj dawb, hu 612-673-2800			
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626			
If you want help translating this information in any other language, call 612-673-3737			

[Signature]

Notification of Inspection

3324 23rd Ave. So. -- Thursday, December 04, 2014 -- 1:45 PM

The purpose of this inspection is to ensure the enforcement of minimum housing standards within the City of Minneapolis. This form will be valid from the time it is signed until the inspection process is complete.

You may consent or refuse consent to the inspection. If you refuse consent, a court-issued warrant may be obtained to authorize the inspection. Please check one of the following boxes:

- I consent to an inspection
- I do not consent to an inspection

I am an occupant of Unit # _____, located at the address stated above. I state that I am 18 years of age or older, or an emancipated minor. Consent may also be granted by phone, email or text.

Printed Name	Date	Signature of Occupant	Date
Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700			
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500			
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Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626			
If you want help translating this information in any other language, call 612-673-3737			

[Signature]

Notification of Inspection

3324 23rd Ave. So. -- Thursday, December 04, 2014 -- 1:45 PM

The purpose of this inspection is to ensure the enforcement of minimum housing standards within the City of Minneapolis. This form will be valid from the time it is signed until the inspection process is complete.

You may consent or refuse consent to the inspection. If you refuse consent, a court-issued warrant may be obtained to authorize the inspection. Please check one of the following boxes:

- I consent to an inspection
- I do not consent to an inspection

I am an occupant of Unit # _____, located at the address stated above. I state that I am 18 years of age or older, or an emancipated minor. Consent may also be granted by phone, email or text.

Printed Name	Date	Signature of Occupant	Date
Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700			
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Hmong-Ceeb toom. Yog koj xav tau kev pab txhals cov xov no rau koj dawb, hu 612-673-2800			
Sign Language Interpreter -- 612-673-3220 TTY: 612-673-2626			
If you want help translating this information in any other language, call 612-673-3737			



COPY

Spanish: Atención: Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
Somali: Ogow: Haddii aad doonayso in lagaa kaalmeeyo (a) lamadda macluumaadkani oo lacag la'aan waa 612-673-3500
Hmong: Oob toom: Yog koj xav tau kev pab thais cov xov no rau koj dawb hu 612-673-2800
Sign Language Interpreter: 612-673-3220 TTY: 612-673-2626
 If you want help translating this information in any other language, call 612-673-3737

NOTICE OF DIRECTOR'S DETERMINATION OF NONCOMPLIANCE

December 5, 2014

Property Address: 3324 23rd Ave S

Owner:
 Margots Kapcs
 3324 23rd Ave S
 MINNEAPOLIS, MN 55407

Contact Person/Manager:
 Margots Kapcs
 5420 44th Ave S
 MINNEAPOLIS, MN 55407

This is to notify you that the above property fails to meet one or more of the rental licensing standards (Minneapolis Code of Ordinances 244.1910, 244.1920, 244.1930 and 244.1840) below:

- (1) Required License fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning Code
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes are delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/Licensee/Manager has had 2 or more licenses revoked within last 5 years
- (14) Licensee has adverse license action in progress
- (15) Rental license application is not current per section MCO 244.1840
- (17) Licensee failed to obtain required permits MN Rule Chapter 1300.0120
- (18) Licensee allowed water shut off for non-payment
- (19) Other Cause Chapter 4, Section of Charter
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Licensee failed to provide required recycling services
- (23) Licensee has unpaid fines/fees owing to the City of Minneapolis

A license proceeding has been commenced against you because the building has been found to be in violation of the Housing Maintenance Code. You have until December 18, 2014 to bring the building into compliance. After this date, the City Council may proceed to deny, revoke, or suspend the rental dwelling license for the building. If the City Council denies, revokes, or suspends the license, the affected dwellings therein must be vacated and shall not be re-occupied until a new license is granted by the City Council.

Sincerely,

Kelly Umhoefer
 Housing Inspector
 612-759-3640
kelly.umhoefer@minneapolismn.gov



Spanish: Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
Somali- Ogow: Haddii aad dooneyso in lagaa kaalmeeyo tarjammadda macluumaadkani oo lacag la'aan waa 612-673-3500
Hmong-Ceeb toom: Yog koj xav tau kev pab txhais cov xov no rau koj dawb hu 612-673-2800
Sign Language Interpreter: 612-673-3220 TTY: 612-673-2626
 If you want help translating this information in any other language, call 612-673-3737

NOTICE OF DIRECTOR'S DETERMINATION OF NONCOMPLIANCE

December 5, 2014

Property Address: 3324 23rd Ave S

Dear Resident of 3324 23rd Ave S #1:

This is to notify you that the above property fails to meet one or more of the rental licensing standards (Minneapolis Code of Ordinances 244.1910, 244.1920, 244.1930 and 244.1840) below:

- (1) Required License fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning Code
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes are delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/Licensee/Manager has had 2 or more licenses revoked within last 5 years
- (14) Licensee has adverse license action in progress
- (15) Rental license application is not current per section MCO 244.1840
- (17) Licensee failed to obtain required permits MN Rule Chapter 1300.0120
- (18) Licensee allowed water shut off for non-payment
- (19) Other Cause Chapter 4, Section of Charter
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Licensee failed to provide required recycling services
- (23) Licensee has unpaid fines/fees owing to the City of Minneapolis

A license proceeding has been commenced against the owner because the building has been found to be in violation of the Housing Maintenance Code. After December 18, 2014, if the building is not in compliance, the City Council may proceed to deny, revoke, or suspend the rental dwelling license for the building. If the City Council denies, revokes, or suspends the license, you may be required to vacate the building.

Sincerely,

Kelly Umhoefer
 Housing Inspector
 612-759-3640
kelly.umhoefer@minneapolismn.gov



Spanish- Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong- Gheb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb hu 612-673-2800
Sign Language Interpreter 612-673-3220 TTY: 612-673-2626
 If you want help translating this information in any other language, call 612-673-3737

NOTICE OF DIRECTOR'S DETERMINATION OF NONCOMPLIANCE

December 5, 2014

Property Address: 3324 23rd Ave S

Dear Resident of 3324 23rd Ave S #2:

This is to notify you that the above property fails to meet one or more of the rental licensing standards (Minneapolis Code of Ordinances 244.1910, 244.1920, 244.1930 and 244.1840) below:

- (1) Required License fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning Code
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes are delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/Licensee/Manager has had 2 or more licenses revoked within last 5 years
- (14) Licensee has adverse license action in progress
- (15) Rental license application is not current per section MCO 244.1840
- (17) Licensee failed to obtain required permits MN Rule Chapter 1300.0120
- (18) Licensee allowed water shut off for non-payment
- (19) Other Cause Chapter 4, Section of Charter
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Licensee failed to provide required recycling services
- (23) Licensee has unpaid fines/fees owing to the City of Minneapolis

A license proceeding has been commenced against the owner because the building has been found to be in violation of the Housing Maintenance Code. After December 18, 2014, if the building is not in compliance, the City Council may proceed to deny, revoke, or suspend the rental dwelling license for the building. If the City Council denies, revokes, or suspends the license, you may be required to vacate the building.

Sincerely,

Kelly Umhoefer
 Housing Inspector
 612-759-3640
kelly.umhoefer@minneapolismn.gov

3324 23rd Ave S

Owner – Margots Kapacs

Timeline:

- 7/21/2014 Complaint of basement occupancy received from 311
- 7/22/2014 Attempted to inspect basement. Anita (tenant of Unit 1) answered knock at front door. Anita showed Inspector Umhoefer the basement door and that she does not have access to the basement. She provided Inspector Umhoefer the basement tenants name as well as Mr. Kapacs's (owner) phone number. Inspector Umhoefer called Mr. Kapacs requesting to inspect the basement. He said he would not allow an inspection unless it was in writing.
- 7/24/2014 An appointment letter to the basement occupant and Mr. Kapacs for 8/8/2014 @ 9am was mailed.
- 8/6/2014 Email from Mr. Kapacs to reschedule the appointment from 8/8/2014 to 8/18/2014.
- 8/7/2014 Inspector received an email from basement tenant, Jessica, about why the appointment was rescheduled. Jessica requested to keep the appointment on 8/8/2014 because she was concerned about the lack of egress in her unit. She is also the source of the complaint. Jessica provided copy of lease in email.
- 8/8/2014 Inspector Umhoefer performed inspection noting the illegal plumbing facilities and appliances, ceiling height varying from 6 feet 1 inches to 7 feet, lack of egress window and second form of escape. An Unlawful Occupancy Placard was posted due September 30th, 2014. Emailed Mr. Kapacs stating that the rescheduled appointment was cancelled since inspection of basement was conducted. Orders, UNOC and DDNC mailed to Mr. Kapacs due September 30th, 2014.
- 10/2/2014 Attempted to gain entry to verify basement occupancy. No answers at doors and Mr. Kapacs did not return phone calls. Unlawful occupancy placard removed. Inspector Umhoefer posted another placard.
- 10/9/2014 Knock and no answer at doors. UNOC placard removed. Inspector Umhoefer posted another placard. Inspector Umhoefer called Mr. Kapacs and left a message. No return phone call.
- 10/16/2014 Obtained search warrant. Appointment letters mailed to Mr. Kapacs registered rental license address and a copy sent to his PO Box. Mailed appointment letters to all known units at property. Inspector Umhoefer left a door hanger at basement entry door with

copy of the appointment letter. A message was left message for Mr. Kapacs stating a search warrant would be served on 10/21/2014 at 11am.

- 10/21/2014 Inspector Umhoefer served the search warrant with Supervisor Meyers and Officer Kuntz and Mentor. Mr. Kapacs was not present and no answer at basement door. Entered premises with search warrant. Basement not occupied but still constructed and has facilities to be used as a 3rd unit. Issued \$250 citation for 221 and 227.
- 10/30/2014 Reinspection appointment letter sent to occupants and Mr. Kapacs for 11/18/2014 at 11:00 AM.
- 11/18/2014 No show for appointment at 11:00 AM.
- 11/19/2014 Reinspection appointment letter sent to occupants and Mr. Kapacs for 12/4/2014 at 1:45 PM.
- 12/4/2014 No show for appointment at 1:45. Left message for owner at 2:00 PM.
- 12/5/2015 DDNC sent for not allowing required inspections due 12/18/2015.
- 12/30/2014 No contact from Mr. Kapacs and still could not enter basement to verify compliance. Revocation process started.

NOTICE OF REVOCATION OF RENTAL LICENSE OR PROVISIONAL LICENSE



January 5, 2015

**Department of
Regulatory Services**

Nuria P. Rivera-Vandermyde
Director

Housing Inspections

250 South 4th Street – Room 400
Minneapolis, MN 55415-1316

Office (612) 673-3000
Fax (612) 673-3262
TTY (612) 673-2157

Property Address: 3324 – 23rd Avenue South

Margo Kapacs
5420 44th Avenue S
Minneapolis, MN 55407

Margots Kapacs
3324 23rd Avenue S
Minneapolis, MN 55407

This is to notify you that the above property fails to meet one or more of the rental licensing standards below: (Minneapolis Code of Ordinances 244.1910 and 244.1940)

Attention: If you have any questions regarding this material please call 311

Spanish - Atención.
Si desea recibir asistencia gratuita para traducir esta información, llame al teléfono (612) 673-2700

Somali - Ogow.
Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac (612) 673-3500

Hmong - Ceeb toom.
Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu (612) 673-2800

Sign Language Interpreter –
612-673-3220
TTY: 612-673-2157

If you want help translating this information in any other language, call 612-673-3737

- (1) Required License fee not paid
- (2) **Rental dwelling units exceed maximum number allowed by Zoning**
- (3) **Rental dwelling unit(s) over occupied or illegally occupied**
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) **Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)**
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/licensee/manager has had 2 or more licenses revoked.
- (14) Licensee has adverse license action in progress
- (15) Rental License application is not current per section 244.1840
- (17) Licensee failed to obtain required permits MN Rule CH 1300.0120
- (18) Licensee allowed water shut for non-payment 244.1910(18)
- (19) Other Cause – chapter 4, section 16 of the Charter
- (20) Notice to tenant of pending foreclosure/cancellation of Contract for Deed
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Property with Rental Dwelling Units of 2+ must provide Recycling Services.
- (23) The licensee or applicant shall not have unpaid fines or fees owing the City.

Documentation is attached which refers to the above checked standard(s) in violation.

In addition, defects that create an imminent hazard to health or safety may be cause for the immediate denial, non-renewal, revocation, or suspension of the rental license or provisional license (Section 244.1940). Also, licensing procedures are in addition to and do not supersede or preempt such other remedies such as condemnation or legal action.



www.ci.minneapolis.mn.us

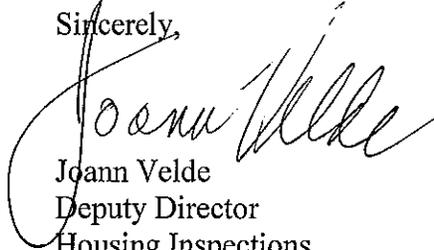
Affirmative Action Employer

If you do not appeal this action within 15 days from the date of this notification, the City Council may take action to Revoke your license(s).

If the City Council revokes the Rental License(s), the affected dwellings therein must be vacated, and shall not be re-occupied until a new license is granted by the City Council.

An appeal form and a copy of appeal procedures (MCO 244.1960) are enclosed.

Sincerely,



Joann Velde
Deputy Director
Housing Inspections
612-673-5850

Enclosure

Rental Dwelling License Revocation Appeals Application

Any person wishing to file an appeal must prepare this form and submit this form along with a certified check or money order in the amount of \$300.00, payable to the Minneapolis Finance Department as an appeal-filing fee. Submit the appeal form and filing fee to:

District Manger
Minneapolis Housing Inspections
250 South 4th Street, Room 300
Minneapolis, MN 55415

Office hours are 8:00-4:30, Monday through Friday.

Any appeal must be filed within 15 days of receipt of the notice of license or provisional license denial, non-renewal, revocation or suspension or the appeal will be denied.

You will be notified of the time and place of the appeals hearing. At the hearing you may be represented by an attorney if you so desire or you may represent yourself. You will have an opportunity to respond and to challenge the licensing action, to present witnesses and evidence under oath, and to cross-examine opposing witnesses under oath.

Date: Mar 5, 2015

I, Margots Kapacs hereby appeal the determination

of my license regarding the property at 3324 23RD Ave S

Reason: inaccurate factual basis

Owner/Appellant's Name, Address, City, State, Zip:

Margots Kapacs
PO. Box 6274
Mpls MN 55406

244.1910. - Licensing standards (a) The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation, or suspension of a rental dwelling license or provisional license, or for the imposition of reasonable conditions or restrictions upon such a license pursuant to section 259.165

- (1) The licensee or applicant shall have paid the required license fee.
- (2) Rental dwelling units shall not exceed the maximum number of dwelling units permitted by the Zoning Code.
- (3) No rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of the Zoning Code or the Housing Maintenance Code.
- (4) The rental dwelling shall not have been used or converted to rooming units in violation of the Zoning Code.
- (5) The owner shall not suffer or allow weeds, vegetation, junk, debris, or rubbish to accumulate repeatedly on the exterior of the premises so as to create a nuisance condition under section 227.90 of this Code. If the city is required to abate such nuisance conditions under section 227.100 or collect, gather up or haul solid waste under section 225.690 more than three (3) times under either or both sections during a period of twenty-four (24) months or less, it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license.
- (6) The rental dwelling or any rental dwelling unit therein shall not be in substandard condition, as defined in section 244.1920
- (7) The licensee or applicant shall have paid the required reinspection fees.
- (8) The licensee or his or her agent shall allow the director of inspections and his or her designated representative to perform a rental license review inspection as set forth in section 244.2000(c).
- (9) The licensee shall maintain a current register of all tenants and other persons with a lawful right of occupancy to a dwelling unit and the corresponding floor number, and unit number and/or letter and/or designation of such unit within the building. The register shall be kept current at all times. The licensee shall designate the person who has possession of the register and shall inform the director of the location at which the register is kept. The register shall be available for review by the director or his or her authorized representatives at all times.
- (10) The licensee shall submit to the director of inspections or an authorized representative of the director, at the time of application for a rental dwelling license and for just cause as requested by the director, the following information: the number and kind of units within the dwelling (dwelling units, rooming units, or shared bath units), specifying for each unit, the floor number, and the unit number and/or letter and/or designation.
- (11) a. There shall be no delinquent property taxes or assessments on the rental dwelling, nor shall any licensee be delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.
b. The licensee or applicant shall have satisfied all judgments duly entered or docketed against the licensee or applicant by any court of competent jurisdiction arising out of the operation of a rental property business. This subsection shall not be found to have been violated if the licensee or applicant demonstrates that the underlying case or action leading to the entry of judgment is being properly and timely removed to district court or otherwise appealed, or when the judgment is being paid in compliance with a payment plan accepted by either a court possessing jurisdiction over the judgment or the judgment creditor or during any period when the enforcement of the judgment has been duly stayed by such a court. This subsection shall become effective January 1, 2008.
- (12) There is no active arrest warrant for a Minneapolis Housing Maintenance Code or Zoning Code violation pertaining to any property in which the licensee, applicant or property manager has a legal or equitable ownership interest or is involved in management or maintenance.
- (13) a. Any person(s) who has had an interest in two (2) or more licenses revoked pursuant to this article or canceled pursuant to section 244.1925 or a combination of revocations or cancellations shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of five (5) years.
b. Any person(s) who has had an interest in a license revoked pursuant to this article or canceled pursuant to section 244.1925, shall be ineligible from obtaining any new rental dwelling licenses for a period of three (3) years.
- (14) No new rental dwelling license shall be issued for the property during the pendency of adverse license action initiated pursuant to section 244.1940

- (15) The licensee or applicant must have a current, complete, and accurate rental dwelling application on file with the director of inspections in accord with the provisions of section 244.1840
- (16) a. Before taking a rental application fee, a rental property owner must disclose to the applicant, in writing, the criteria on which the application will be judged.
- b. Application forms must allow the applicant to choose a method for return of the application fee as either 1) mailing it to an applicant's chosen address as stated on the application form, 2) destroying it 3) holding for retrieval by the tenant upon one (1) business-day's notice.
- c. If the applicant was charged an application fee and the rental property owner rejects the applicant, then the owner must, within fourteen (14) days, notify the tenant in writing of the reasons for rejection, including any criteria that the applicant failed to meet, and the name, address, and phone number of any tenant screening agency or other credit reporting agency used in considering the application.
- d. The landlord must refund the application fee if a tenant is rejected for any reason not listed in the written criteria.
- e. Nothing in this section shall prohibit a rental property owner from collecting and holding an application fee so long as the rental property owner provides a written receipt for the fee and the fee is not cashed, deposited, or negotiated in any way until all prior rental applicants either have been screened and rejected for the unit, or have been offered the unit and have declined to take it. If a prior rental applicant is offered the unit and accepts it, the rental property owner shall return all application fees in the manner selected by the applicant, pursuant to section (b).
- f. Violation of this subsection, 244.1910(16), may result in an administrative citation, or may contribute to the denial or revocation of a rental license.
- g. This subdivision shall become effective December 1, 2004.
- (17) An owner shall not have any violations of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, at any rental dwelling which they own or have an ownership interest. A violation of Minnesota Rule Chapter 1300.0120 subpart 1 shall result in a director's determination of noncompliance notice being sent, pursuant to 244.1930 to the owner regarding the rental dwelling where the violation occurred. A second violation, at any rental dwelling in which the owner has an ownership interest, of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, shall result in the issuance of a director's notice of denial, non-renewal, or suspension of the license or provisional license, pursuant to 244.1940 of the Code, for the rental dwelling where the second violation occurred.
- (18) The owner, where the owner pays the water bill for a rental dwelling, shall not allow the water to be shut off for non-payment. If water to a rental dwelling has been turned off, for lack of payment by the owner it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license or provisional license.
- (19) The provisions of this section are not exclusive. Adverse license action may be based upon good cause as authorized by Chapter 4, Section 16 of the Charter. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.
- (20) A licensee or owner/landlord shall not be in violation of section 244.265 of this Code, which requires owner/landlords to notify tenants and prospective tenants of pending mortgage foreclosure or cancellation of contract for deed involving the licensed property.
- (21) Any person(s), having an ownership or management interest in any property, upon a second violation of section 244.1810 by allowing to be occupied, letting or offering to let to another for occupancy, any dwelling unit without having first obtained a license or provisional license, shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of two (2) years.
- (22) The owner or licensee shall not be in violation of section 225.780, which requires every owner of a building containing two (2) or more dwelling units to provide for recycling services.
- (23) The licensee or applicant shall not have any unpaid fines or fees owing to the City of Minneapolis related to their rental property.

244.1930. Director's determination of noncompliance; notice.

(a) If the director of inspections determines that a building or dwelling unit fails to meet the licensing standards set forth in section 244.1910, or section 244.1920, he or she shall mail a notice to the owner and the person designated by the owner as the person responsible for the maintenance and management of the building or dwelling unit. The notice shall specify the reasons why the building or unit fails to meet the licensing standards in section 244.1910 or section 244.1920 and shall include a copy of the inspection report if applicable. However, if a building or dwelling unit fails to meet licensing standards 244.1910(2), (3), (4), (18) or (21), for a second time under the same owner/licensee, a notice of director's determination of noncompliance shall not be required to be sent as the building or dwelling unit may be subject to an action for denial; non-renewal; revocation or suspension pursuant to section 244.1940.

(b) If the rental dwelling fails to meet one (1) or more of the standards set forth in section 244.1910, the notice shall indicate that the license holder or applicant has ten (10) days to correct the defects, after which the city council will take action to deny, refuse to renew, revoke, or suspend the license or provisional license.

(c) If the rental dwelling fails to meet the standards set forth in section 244.1920, the notice shall indicate that the license holder or applicant has sixty (60) days to correct the defects causing the building to be substandard, after which the city council will take action to deny, refuse to renew, revoke, or suspend the license or provisional license. The director may for good cause authorize additional time to correct defects causing a building to be substandard. If the defects create an imminent hazard to health or safety, the director may proceed immediately for denial, nonrenewal, revocation, or suspension under section 244.1940, or may shorten the deadline for compliance to less than sixty (60) days.

(d) Whenever a notice of noncompliance is issued under this section, the director of inspections shall also cause a notice to tenants to be prominently posted on the building. The notice shall indicate that a license proceeding has been commenced against the owner because the building has been found to be in violation of the housing maintenance code; that after a stated period of time allowed to bring the building into compliance, the city council may proceed to deny, revoke, or suspend the rental dwelling license for the building; that if the city council denies, revokes, or suspends the license, tenants may be required to vacate the building; that further information can be obtained from the City of Minneapolis Housing Services Office.

(e) The director of inspections shall send copies of the notice of noncompliance and the notice to tenants to the housing services office. (90-Or-235, § 6, 9-14-90; 95-Or-097, § 3, 6-30-95; 99-Or-163, § 6, 12-17-99; 2011-Or-044, § 2, 4-29-11)

244.1940. Denial; non-renewal; revocation; suspension. (a) If after any period for compliance under section 244.1930 has expired, the director determines that the dwelling fails to comply with any of the licensing standards in sections 244.1910 or 244.1920, or the director has initiated an action to deny, revoke, suspend, or not renew a license pursuant to section 244.2020, or if the director determines that a building or dwelling unit fails to meet licensing standards 244.1910(2), (3), (4), (13)(a), (18) or (21), for a second time, under the same owner/licensee, the director shall mail the owner and the person designated by the owner as the person responsible for the maintenance and management of the building or dwelling unit, a notice of denial, non-renewal, revocation, or suspension of the license or provisional license. The notice shall state:

(1) That the director has determined that the building fails to comply with the licensing standards for rental dwellings in section 244.1910 and section 244.1920, that the licensee has failed to take appropriate action following conduct by tenants and/or their guests on the licensed premises under section 244.2020, or that the licensee has failed to submit a written management plan that satisfies the requirements set forth in 244.2020(d).

(2) The specific reasons why the building fails to meet licensing standards, including copies of applicable inspection reports, or notices sent to licensee of conduct on licensed premises.

(3) That the director has referred the matter to the city council with a recommendation to deny, not renew, revoke, or suspend the license or provisional license.

(4) That the city council will deny, refuse to renew, revoke, or suspend the license or provisional license unless the owner appeals the determination within fifteen (15) days after receipt of the notice, in the manner provided in section 244.1960.

(5) That after denial, nonrenewal, revocation or suspension, the dwelling or the affected dwelling units therein must be vacated, and shall not be reoccupied until all violations are corrected and a license is granted by the city council, (except where an extension of time has been granted by the director of inspections due to weather). Further, no license will be granted by the city council until an approved plan to control conduct on premises has been presented and accepted by the city council if the denial, non-renewal, revocation or suspension was under section 244.2020.

(6) The notice shall describe how an appeal may be filed under section 244.1960.

(7) The director shall cause a notice to tenants to be mailed or delivered to each licensed dwelling unit and prominently posted on the building. The notice shall indicate that the rental dwelling license for the building has been denied, revoked, or suspended, whichever is applicable; that the action will become final on a specific date unless the building owner appeals and requests a hearing; that tenants may be required to vacate the building when the action becomes final; that further information can be obtained from the City of Minneapolis Housing Services Office.

(b) Lapsed licenses. If a license lapses, or is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the director may proceed, pursuant to subdivision (a), with an action to deny, non-renew, revoke or suspend if the action was commenced prior any lapse, surrender, withdraw, termination or other loss of license.

(c) Any action taken under this section shall be instituted against the rental dwelling license held by the owner(s), licensee and the person designated by the owner as the person responsible for the maintenance and management of the licensed property. (90-Or-235, § 6, 9-14-90; 95-Or-097, § 4, 6-30-95; 99-Or-163, § 7, 12-17-99; 2004-Or-007, 1-30-04; 2004-Or-112, § 1, 10-8-04; 2011-Or-044, § 3, 4-29-11; 2011-Or-108, § 6, 11-18-11)